

NOTICE OF CHANGE IN PROPOSED RULE

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301 and Subsection 53C-1-201(3)(c).
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Division of Administrative Rules.

Agency Information

- Agency: Insurance - Administration
Room no.: 3110
Building: STATE OFFICE BLDG
Street address 1: 450 N MAIN ST
Street address 2:
City, state, zip: SALT LAKE CITY UT 84114-1201
Mailing address 1: PO BOX 146901
Mailing address 2:
City, state, zip: SALT LAKE CITY UT 84114-6901

Contact person(s):

Name: Phone: Fax: E-mail:

Jilene Whitby	801-538-3803	801-538-3829	jwhitby@utah.gov
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(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Information

DAR file no: 33821 Date filed: 09/14/2010 03:47 PM
State Admin Rule Filing Key: 150217
Utah Admin. Code ref. (R no.): R 590 - 244 - 4
Changed to Admin. Code ref. (R no.): - -

Title

- Title of rule or section (catchline):
Requirement to Electronically Submit License Applications, Appointments, Designations, and License Amendments.

Notice Type

- Type of notice: Change in Proposed Rule
Changes original proposed rule file no.:33821

Rule Purpose

- Purpose of the rule or reason for the change:
This rule is being changed due to suggestions received during the previous comment period.

Response Information

- This change is a response to comments by the Administrative Rules Review Committee.
No

Rule Summary

- Summary of the rule or change:
Section 4 is being changed to correct the number of days given to complete an application that is filed incomplete and

for clarification purposes.

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected: No

The previous change of 45 days to complete an incomplete submission was incorrect. It should have been 30 days, which is the current procedure being followed by the department.

B) Local government:

Affected: No

This rule and its change will have no fiscal impact on local governments since the rule deals solely with the relationship between the department and its licensees.

C) Small businesses:

Affected: No

("small business" means a business employing fewer than 50 persons)

This rule change applies to individual and group licensees. Most of the group licensees are small employers. This will have no fiscal impact since it is already the procedure being followed by the department.

D) Persons other than small businesses, businesses, or local government entities:

Affected: No

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)

This rule change applies to individual and group licensees. Most of the group licensees are small employers. This will have no fiscal impact since it is already the procedure being followed by the department.

Compliance Cost Information

8. Compliance costs for affected persons:

This rule change applies to individual and group licensees. It will have no fiscal impact since this procedure is already being followed by the department.

Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

This rule will have no fiscal impact on businesses.

B) Name and title of department head commenting on the fiscal impacts:

Neal T. Gooch, Insurance Commissioner

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :

31A-2-201

31A-25-208

31A-35-406

31A-26-213

31A-26-202

31A-35-104

31A-35-301

31A-23a-110

31A-25-201

31A-23a-104

31A-23a-302

31A-26-210

31A-23a-111

31A-23a-115

31A-35-401

Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank) :

<div style="text-align: right;"> Official Title of Materials Incorporated (from title page): Publisher: Date Issued: Issue, or version: ISBN Number: ISSN Number: Cost of Incorporated Reference: Adds, updates, removes: </div>

Comments

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)
- A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) : 11/01/2010
- B) A public hearing (optional) will be held:
- On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy): 11/08/2010
- NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Indexing Information

14. Indexing information - keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):

insurance licensing requirements

File Information

15. Attach an RTF document containing the text of this rule change (filename):

There is a document associated with this rule filing.

To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

Agency Authorization

Agency head or designee, and title:

Jilene Whitby Information
Specialist

Date (mm/dd/yyyy): 09/14/2010